

July 27, 2004

Rick Olsen, General Manager
Canyon Fuel Company, LLC
P.O. Box 1029
Wellington, Utah 84542

Re: Determination of Administrative Completeness for, Post Mining Land Use Change,
Canyon Fuel Company, Banning Loadout,C/007/0034 Task #1936, Outgoing File

Dear Mr. Olsen:

The Division has completed a review of the information you submitted on May 26, 2004. This application is considered to be administratively complete. A copy of our review worksheet is enclosed for your information and records.

A technical review of your plan has been initiated. Technical deficiencies will be forwarded to you as reviews are completed. The Division will also coordinate with other agencies and incorporate their comments into our review process. Issues raised will need to be resolved prior to permit issuance.

At this time you should publish a Notice of Complete Application for adding the Post Mining Land Use Change to the Banning MRP as required by R645-300-121. A copy of the publication should be sent to the Division as soon as it is available. You should also insure that a copy of the application is on file at the appropriate County Courthouse. The Division will complete a technical analysis, which must find that your application is technically complete. We anticipate that additional information may be necessary to make your application technically complete and look forward to working with you throughout the permitting process. Please call if you have any questions.

Thank you for your help in the permitting process.

Sincerely,

Pam Grubaugh-Littig
Permit Supervisor

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Enclosure
cc: Price Field Office
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**ADMINISTRATIVE COMPLETENESS REVIEW WORKSHEET
(R645-100)**

DATE: July 15, 2004

REVIEWER(S): Wayne Western, Priscilla Burton, Jerrian Ernsten, Dana Dean

APPLICANT: Canyon Fuel Company

MINE NAME: Banning Siding Loadout **FILE NO.:** C/007/0034

"Administratively Complete Application" means an application for permit approval or approval for coal exploration, where required, which the Division determines to contain information addressing each application requirement of the State Program and to contain all information necessary to initiate processing and public review.

Directions: The categories listed below correspond to the minimum requirements for information necessary to initiate processing and public review. If a category is checked the Applicant has met the Completeness requirement for that category. If a category is not checked, the Completeness requirements have not been met. The comments column will identify the deficiency and what is necessary to correct it.

Comments		
301-112	Identification of Interests <u>X</u>	The MRP indicates that Canyon Fuel Company, LLC operates the Banning Loadout C/007/034 (Section 111). However, Section 521, page 5-13 of the application, indicates that the operation is run by Soldier Canyon Mine and Savage Coal Service Corporation (Coal Service) under an agreement with the applicant. This statement appears to be an artifact from an earlier permit.
100	Applicant's Business Structure <u>X</u>	Section 112.300
210	Applicant's Name/Address/Phone <u>X</u>	Section 112.200 lists Canyon Fuel Company, LLC.
220	Resident Agent's Name/Address/Phone <u>X</u>	The Permittee's registered agent is listed as CT Corporation in the MRP, but is listed as Canyon Fuel Corp, LLC in the Reclamation Agreement dated October 24, 2003.
230	Name/Address/Phone of AML Fees Payer <u>X</u>	Richard D. Pick, Canyon Fuels Co. LLC
300	Corporate Structure & Ownership <u>X</u>	Figure 1-1 and Section 112
400	Identify Other Mining Operations in US <u>X</u>	Section 112.400
500	Surface & Mineral Ownership <u>X</u>	Section 112.500
600	Ownership Contiguous to Permit <u>X</u>	Section 112.600 and Plates 5-4 and 5-5

700	MSHA Numbers	<u>X</u>	Section 112.700
800	Interest in Contiguous Lands	<u>X</u>	Section 112.800

301-113	Violation Information	<u>X</u>	Section 113
100	Suspension or Revocation Information	<u>X</u>	Section 113
300	List of Violations - 3 Previous Years	<u>X</u>	Table 1-1, incorporated Dec 2003.

301-114	Right of Entry	<u>X</u>	<p>Section 114. The legal description of the permit area:" all or portions of sections 15, 16, 21, 22 in T 15 S, R 12 E," as shown on Ex 5-1 and 5-2.</p> <p>The Division's bond file indicates the permit area is 36.42 acres and the disturbed area is 21.6 acres. However the MRP indicates on page 5-12 that the loadout surface disturbance is 23.27 acres (this figure does not include the haul road)</p> <p>Bonded acreage must be at least equal to disturbed acreage.</p> <p>The application must not delete the permit acreage and disturbed area information from the MRP.</p>
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301-115	Status of Unsuitability Claims	<u>X</u>	Section 115. Within 100 ft of Hwy 6-50.
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301-116	Permit Term	<u>X</u>	Renewed October 24, 2003. Expires October 2008.
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301-117	Insurance	<u>X</u>	<p>Section 117. Page 1-17 refers to Appendix 1-4, could not be found in the MRP, however Appendix 117-A was found to contain an outdated (1999) copy of the certificate of liability insurance. The bond file contains a current Certificate that expires 7/31/04.</p> <p>This significant revision requires public participation. The Permittee submitted a copy of the public notice to appear at once weekly over the course of four weeks in area newspapers. They will submit an affidavit of publication once the four weeks have been completed.</p> <p>Substation will be along with post mining land use change.</p>
	Proof of Publication	<u>X</u>	
	Facilities and Structures Used in Common	<u>x</u>	

301-118	Filing Fee	<u>X</u>	on file at DOGM
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301-123	Notarized Signature of Responsible Official	<u>X</u>	David Spillman
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301-130	Information Collection: Technical Data Accompanied by Names of Persons or Organizations that Collected and Analyzed the Data - Dates of Collections - and Analysis of the Data and Description of the Methodology Used to Collect and Analyze Data	<u>X</u>	Section 130.
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301-200	Soils	<u>X</u>	Chap 2.
211	Description of Pre-mining Soil Resources	<u>X</u>	limited information available in Appendix 2-2 and App 2-3 for this pre-SMCRA site
221	Prime Farmland Investigation	<u>X</u>	App 2-1
222	Soil Survey	<u>X</u>	Order III level
224	Substitute Topsoil Info (When Proposed)	<u>X</u>	App 2-2 for in situ soils and 700 cu yds of sediments from Dugout sediment pond

230	Operation Plan Topsoil Handling/Removal/Storage	<u>X</u>	Page 2-5, Topsoil stored in berms and out slopes of sedimentation pond and throughout the site (page 2-7).
240	Reclamation Plan Soil Redistribution/Stabilization	<u>X</u>	No change with this application. See pages 2-10 through 2-15. Please remove the cultivation step from the reclamation plan.

301-300	Biology	<u>X</u>	
320	Vegetation Information	<u>X</u>	
322	Fish and Wildlife Information	<u>X</u>	
323	Maps/Photos Vegetation-Fish-Wildlife Areas	<u>X</u>	
330	Operation Plan Vegetation-Fish-Wildlife Protection	<u>X</u>	
341	Reclamation Plan for Revegetation	<u>X</u>	
342	Fish & Wildlife Plan for Reclamation Phase	<u>X</u>	

301-400	Land Use and Air Quality	<u>X</u>	
411	Pre-Mining Land Use Information (Includes Cultural Resources)	<u>X</u>	
412	Post-Mining Land Use Information	<u>X</u>	

301-500	Engineering	<u>X</u>	
510 520	General Description of Operation Plan (Maps, Locations, Cross-Sections, Narrative, Descriptions & Calculations)	<u>X</u>	Only change is area for postmining land use.
522	Coal Recovery Description	<u>X</u>	NA
523	Mining Methods	<u>X</u>	NA

524	Blasting and Explosives Plan	<u>X</u>	NA
525	Subsidence Control Plan	<u>X</u>	NA
526	Mine Facilities Description (Narrative, Plans, Maps) Including Existing Structures & Support Facilities	<u>X</u>	NA
527	Transportation Facilities (Including Plans & Maps)	<u>X</u>	NA
528	Coal Mine Waste Plans (Description & Designs)	<u>X</u>	No or little coal mine waste on property.
529	Management of Mine Openings (Design)	<u>X</u>	NA
531	General Plans for Structures	<u>X</u>	NA
532	Sediment Control	<u>X</u>	
533	Impoundments	<u>X</u>	NA

301-534	Roads (Plans, Drawings, Designs, & Specifications)	<u>X</u>	
535	Spoil	<u>X</u>	NA
536	Coal Mine Waste	<u>X</u>	
537	Regraded Slopes	<u>X</u>	NA
540 541-542	Reclamation Narrative, Maps and Plans	<u>X</u>	Revised reclamation map was not included.
551	Casing and Sealing Underground Openings	X	NA
553	Backfilling and Grading Description	<u>X</u>	

301-600	Geology	<u>X</u>	NA
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621	Description of Geology (Permit & Adjacent Area)	<u>X</u>	NA
622	Geologic Cross-Sections, Maps, and Plans	<u>X</u>	NA
630	Plans for Casing and Sealing Holes	<u>X</u>	NA

301-700	Hydrology	<u>X</u>	
721	Description of Hydrologic Resources (Permit and Adjacent Area)	<u>X</u>	Section 721 of MRP.
722	Cross-Sections and Maps Subsurface Water - Surface Water - Monitoring Stations - Wells	<u>X</u>	Ch. 7 of MRP.
723	Sampling and Analysis	<u>X</u>	Section 723 of MRP.
724	Baseline Information Ground Water - Surface Water - Geology - Climatological & Supplemental; If Needed	<u>X</u>	Appendices 7-1, 7-2, 7-3 of MRP.
728	PHC Determination	<u>X</u>	Section 728.100 of MRP.
730	General Operation Plan Minimize Disturbance to Hydrologic Balance & Compliance with Clean Water Act	<u>X</u>	Section 731 of MRP.
731	Ground and Surface Water Protection	<u>X</u>	Sections 731.110, 120 of MRP.
732	Ground and Surface Water Monitoring	<u>X</u>	Sections 731.210, 220 of MRP

301-740	Plans and Designs Operation and Reclamation Plan Sediment Control Measures	<u>X</u>	Section 732 of MRP.
	Siltation Structures	<u>X</u>	Section 732.100 of MRP.
	Sediment Ponds	<u>X</u>	Section 732.200 of MRP.
	Other Treatment Facilities	<u>X</u>	NA
	Diversions	<u>X</u>	Section 732.300 of MRP and Application.
	Road Drainage	<u>X</u>	Section 732.100 of MRP.
	Impoundments	<u>X</u>	NA other than previously discussed Sed Pond.
	Discharge Structures	<u>X</u>	Appendix 7-6, Exhibits 7-2 and 7-3 of MRP.
	Disposal of Excess Spoil	<u>X</u>	NA
	Coal Mine Waste	<u>X</u>	No or little coal mine waste on property.
	Disposal of Non-Coal Mine Waste	<u>X</u>	Sections 521 and 737 of the MRP.
	Casing and Sealing of Wells	<u>X</u>	NA

301-800	Bonding and Insurance	<u>X</u>	NA
820	Applicant Have Adequate Bond at Permit Issuance	<u>X</u>	NA
830	Bond Estimate and Calculations Provided	<u>X</u>	Appendix 8-1 and Table 5-3 of the MRP must contain current bonding information. Will use worst case scenerio, so bond will not change.
890	Certificate of Insurance Provided	<u>X</u>	NA

302-200	Special Categories of Mining	<u>X</u>	NA
210	Experimental Practices Mining	<u>X</u>	NA
220	Mountaintop Removal Mining	<u>X</u>	NA
230	Steep Slope Mining	<u>X</u>	NA
240	Auger Mining	<u>X</u>	NA

250	In Situ Processing Activities <u>X</u>	NA
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302-260	Coal Processing Plants (Not Located Within Permit Area of Mine) <u>X</u>	NA
270	Variances From Approximate Original Contour Restoration Requirements <u>X</u>	NA
280	Variances for Delay in Contemporaneous Reclamation Requirement in Combined Surface and Underground Coal Mining Activities <u>X</u>	NA
290	Small Operator Assistance Program (SOAP) <u>X</u>	NA

302-300	Special Areas of Mining <u>X</u>	NA
301	Prime Farmland <u>X</u>	NA
302	Alluvial Valley Floors <u>X</u>	NA

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